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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,680	08/13/2001	Masanori Iwasaki	09792909-5158	8175

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EXAMINER

BOCHNA, DAVID

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 07/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/928,680

Applicant(s)

IWASAKI, MASANORI

Examiner

David E. Bochna

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 3, 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2 and 3, it is unclear how the protrusions, recesses, external and internal threads can be on the same circumference, when it appears from the drawings that the protrusions and recesses have a greater circumference than the threads.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Stewart.

In regard to claim 1, Stewart discloses an optical part linkage device for linking a first part 62 and a second part 56, the first part 62, 64 including a threaded portion and holding an optical device (L1-L4), and the second part including a threaded portion (internal threads) of the first part and holding an optical device 1 that forms a pair with the optical device comprising:

a positioning recess 57 that is formed in either one of the first part and the second part 56;

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and

a positioning protrusions 58 that are formed in either of the other of the first part and the second part, the positioning protrusion 58 being selectively engageable with the recess 57 as a rotating operation is carried out.

In regard to claim 2, the threaded portion 62 of the first part is an external thread, with one or two or more positioning protrusions being formed continuously at the location of a terminal end 61 of the external thread 62 along a same circumference.

In regard to claim 3, the threaded portion of the second part is an internal thread, with a plurality of recesses being formed continuously at an end of the internal thread along a same circumference.

In regard to claim 4, the first part 62 is a lens barrel to which an image forming device is mounted (L1-L4).

In regard to claim 5, the second part 56 is a holder for holding the lens barrel, an image pickup device 1 being mounted to the holder.

In regard to claim 6, by selecting a location of engagement of the recess and the protrusion, a focal location with respect to the image pickup device is fixed by the image-forming device.

In regard to claim 7, an imaging forming device focus adjustment pitch is determined by an engagement pitch between the recess and the protrusion, an inside diameter of the lens barrel, and pitches of the threaded portions (turning 62 relative to 56 sets the focal point).

In regard to claim 8, Stewart discloses an optical module including a linkage structure for linking a first part and a second part, the first part including a threaded portion 62 and holding an

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image forming device (L1-L4), and the second part 56 including a threaded portion screwable to the threaded portion of the first part and holding an image pickup device 1, the optical module comprising:

A positioning recess 57 that is formed in either one of the first part and the second part 56; and

A positioning protrusion 58 that is formed at either of the other of the first part 62 and the second part, the positioning protrusion being selectively engageable with the recess.

In regard to claim 9, the threaded portion of the first part is an external thread, with one or two or more positioning protrusions 58 being formed continuously at the location of a terminal end of the external thread along a same circumference.

In regard to claim 10, the threaded portion of the second part is an internal thread, with a plurality of recesses 57 being formed continuously at an end of the internal thread along a same circumference.

### ***Conclusion***

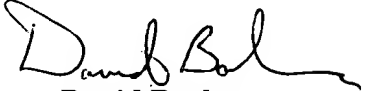
5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato, Gates, Sakashita, Strehle, Ogihara, Czarnikow, Brandes et al., Harvey, Wood, and Japanese Patent 54,103,021 all disclose similar modules common in the art.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

  
**David Bochna**  
**July 22, 2002**